

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8466

UNITED STATES OF AMERICA,

Plaintiff,

v.

Allan Ray WEST (1),

Steven Patrick BERNAL (2),

Defendants.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960

Importation of a Controlled Substance  
(Felony)

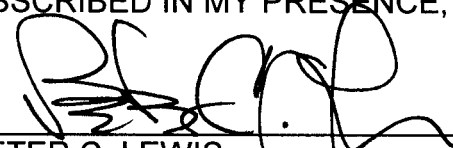
The undersigned complainant being duly sworn states:

On May 26, 2008, within the Southern District of California, defendants Allan Ray West and Steven Patrick BERNAL did knowingly and intentionally import approximately 132.64 kilograms (291.81 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

  
Cole Dotson, Special Agent  
U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 27TH,  
DAY OF MAY 2008.

  
PETER C. LEWIS  
UNITED STATES MAGISTRATE JUDGE

1 Allan Ray WEST (1),  
2 Steven Patrick BERNAL (2),  
3

4 STATEMENT OF FACTS

5 This Statement of Facts is based on personal observation, investigation, and  
6 information provided to U. S. Immigration and Customs Enforcement Special Agent  
7 Dotson.

8 On May 26, 2008, at approximately 1915 hours, Allan Ray WEST and Steven  
9 Patrick BERNAL entered the United States at the Calexico, California, West Port of  
10 Entry. WEST was driver and registered owner of the 1995 Ford F-150 that he was  
11 driving. WEST was also the registered owner of the boat on the trailer in tow. BERNAL  
12 was passenger.

13 In pre-primary, WEST gave a negative Customs declaration to Customs and  
14 Border Protection Officer (CBPO) M. Cardenas. Also in Pre-primary, CBPO D.  
15 Ragsdale's canine alerted to the vessel being towed by said vehicle. WEST and  
16 BERNAL were referred to the vehicle secondary lot for closer examination.

17 In the secondary lot, BERNAL avoided eye contact when being questioned by  
18 CBPO Cardenas. The vehicle was void of any personal items except a small suitcase  
19 belonging to the driver. A subsequent inspection of the boat by CBPO J. Jones  
20 revealed 27 packages concealed in a non-factory compartments in the floor. CBPO M.  
21 Cardenas probed one of the packages and a sample of green leafy substance was  
22 obtained. The sample field-tested positive for marijuana. The 27 packages had a  
23 combined net weight of approximately 132.64 kilograms (291.81 pounds).

24 When BERNAL was questioned about his activities in Mexico, he stated he had  
25 gone fishing. When asked where the fishing poles were, BERNAL became very  
26 nervous and frustrated. BERNAL appeared to search for an answer but could not  
27 answer the question.  
28  
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